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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/928,861 09/12/97 NEYMAN

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EXAMINER

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ART UNIT

PAPER NUMBER

2748

(8)

DATE MAILED:

02/11/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory Action

Application No.
08/928,861

Applicant(s)
Neyman, et al.

Examiner
Allan Hoosain

Group Art Unit
2748



THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) ☒ expires 3 months from the mailing date of the final rejection.
- b) ☐ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Jan 20, 2000 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

- ☐ The proposed amendment(s):
- ☐ will be entered upon filing of a Notice of Appeal and an Appeal Brief.
 - ☐ will not be entered because:
 - ☐ they raise new issues that would require further consideration and/or search. (See note below).
 - ☐ they raise the issue of new matter. (See note below).
 - ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: _____

- ☐ Applicant's response has overcome the following rejection(s): _____

- ☐ Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

- ☒ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:
see Attachment: Advisory

- ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

- ☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: _____

Claims objected to: _____

Claims rejected: 2-10 and 12-18

- ☐ The proposed drawing correction filed on _____ ☐ has ☐ has not been approved by the Examiner.

- ☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

- ☒ Other PTO-892

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Attachment: Advisory

Response to Applicants Arguments in Applicants' Request for Reconsideration, dated 1/20/2000

(a) Applicants argue that the references provided by the Examiner clearly fail to teach the structural elements or the routing processes as described in Applicants' claimed invention.

Examiner respectfully disagrees for the same reasons given in the Final Office Action, dated 10/26/99.

(b) Applicants argue that the Examiner equates the Internet servers with the managing processor recited in Claim 2. Applicants respectfully traverses the Examiner's position that the Internet servers as taught by **Dekelbaum** and **Bateman** route IPNT calls, or any other kind of calls, according to any routing rules.

Examiner respectfully disagrees because of the following:

(i) Applicants' Specification teaches that IPNT calls are telephony data which are routed between computers over Internet connections, based on personal routing rules, negotiation, and the like, and directed by servers in the Internet (Applicants' Specification, Page 33, lines 20-27 and Page 34, lines 13-20). **Dekelbaum** clearly teaches that the customer and sales representatives conduct transactions over the Internet, based on a customer's session history (personal routing rules, negotiation, and the like) and directed by the Internet Server (Col. 12, lines 1-8 and Col. 14, lines 40-48). Similarly, **Bateman** clearly teaches that data is transmitted between the customer and agents over the Internet, based on call back requests (personal routing rules, negotiation, and the

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like) and directed by the Internet server (Col. 6, lines 1-60). Therefore, both **Dekelbaum** and **Bateman** teach IPNT calls.

(c) Applicants argue that the Internet servers in the prior art absolutely do not route the received IPNT call according to current routing rules specific to a person at a connected work station. Actually, neither the Internet server 102 of **Dekelbaum** or the WWW server 28 of **Bateman** route incoming IPNT calls.

Examiner respectfully disagrees because of the information in (a)-(b). **Dekelbaum** teaches that calls between customers and sales representatives are routed based on a customer's session ID, the client's session history and other data (Col. 14, lines 43-48). **Bateman** teaches that calls between customers and agents are routed based on a customer's call back instructions (Col. 6, lines 23-25 and 48-55). These teachings clearly show that calls are set up according to current routing rules specific to a person.

(d) Applicants argue that the Examiner refers to the "sessions" stored at the Internet server 102 of **Dekelbaum** as being the same as the "routing rules" used by Applicants' managing processor to route the incoming IPNT calls. Applicants teach that in telephony routing systems, it is the software in general wherein routing rules are set, and the routing rules determine the decision - making paths a system follows in routing calls. Applicants do not believe that the "sessions", which are no more than a history of previously viewed WEB pages by a customer, referred to in the art of **Dekelbaum** can be compared to "routing rules" as taught by Applicants' invention.

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Examiner respectfully disagrees because of the information in (a)-(c) above. **Dekelbaum** teaches that the "Sessions" are associated with a session ID and which is used for establishing communication between the customer and sales representative (Col. 14, lines 19-28).

(e) Applicants argue that clearly, the WWW server 28 of **Bateman** is not routing the received IPNT call to an agent according to routing rules.

Examiner respectfully disagrees because of the information in (a)-(c) above. **Bateman** teaches that the server informs agents of call back requests and thereby routes IPNT calls based on call back requests (routing rules) (Col. 6, lines 48-60).

(f) Applicants argue that Applicants believe that claim 2 is clearly patentable over the art provided by the Examiner as the references clearly do not route incoming IPNT calls.

Examiner respectfully disagrees because of the information in (a)-(b) above. Both **Dekelbaum** and **Bateman** teach that IPNT calls are initiated by the customer and, therefore, are incoming IPNT calls (**Bateman**, Col. 6, lines 1-6 and **Dekelbaum**, Col. 12, lines 1-9 and Col. 14, lines 19-25).

(g) Applicants argue with respect to Claim 10, that the art of **Dekelbaum** and **Bateman** simply do not apply to the present invention because neither reference is capable of routing incoming IPNT calls received at a managing processor. Both references require either an additional (PSTN) call from the customer, or a (PSTN) call back from an agent.

Examiner respectfully disagrees because of the information in (f) above and that this argument by Applicants is not directed towards Applicants' claims. Applicants' claims do not recite no

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additional call from the customer or no call back from an agent. Examiner believes that **Dekelbaum's** additional call from the customer and **Bateman's** call back are part of their respective methods in processing incoming IPNT calls as discussed in (f). Applicants' invention does not clearly describe the processing of incoming IPNT calls and only teaches that Applicants' conventional methods of processing incoming calls may be "adapted" or "will be apparent" to those with skill (see Applicants' specification, Page 34, lines 13-20).



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